

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck-Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-20789 (NEW SERIES)

DATE OF FINAL PASSAGE FEBRUARY 3, 2017

AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 3, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 113.0103; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 4 BY AMENDING SECTION 131.0431, RETITLING AND AMENDING SECTION 131.0447, AND BY ADDING NEW SECTION 131.0457; AND AMENDING CHAPTER 14, ARTICLE 2, DIVISION 5 BY AMENDING SECTIONS 142.0510, 142.0520, AND 142.0521, ALL RELATING TO HIGH OCCUPANCY SINGLE DWELLING UNITS.

§113.0103 Definitions

Abutting property through Beach, coastal (See *coastal beach*) [No change in text.]

Bedroom means an enclosed space within a ~~dwelling unit~~ dwelling unit that is designed or could be used for sleeping and has or is designed to have a permanent door permitting complete closure and separation from all *kitchen*, living room, and hallway areas. A room or other enclosed space is not considered a *bedroom* if it is the sole access to another *bedroom*.

Benefitted area through Sign, wall (See *wall sign*) [No change in text.]

Single dwelling unit means a detached ~~dwelling unit~~ dwelling unit or attached *dwelling units* where each ~~dwelling unit~~ dwelling unit is on an individual *lot*.

Social service institution through Yard [No change in text.]

§131.0431 Development Regulations Table for Residential Zones

The following development regulations apply in the residential zones as shown in Tables 131-04C, 131-04D, 131-04E, 131-04F, and 131-04G.

(a) [No change in text.]

(b) RS Zones

**Table 131-04D
Development Regulations for RS Zones**

Development Regulations [See Section 131.0430 for Development	Zone Designator	Zones

Regulations of Residential Zones]								
	1st & 2nd >>	RS-						
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	1	2	3	4	5	6	7
Max permitted density (DU per lot) through Supplemental requirements [See Section 131.0464(a)] [No change in text.]	[No change in text.]							
Bedroom Bedroom regulation [See Section 131.0457]	applies ⁽⁷⁾							
Refuse and Recyclable Material Storage [See Section 142.0805] through Visibility Area [See Section 113.0273] [No change in text.]	[No change in text.]							

Development Regulations [See Section 131.0430 for Development Regulations of Residential Zones]	Zone Designator	Zones						
	1st & 2nd >>	RS-						
	3rd >>	1-	1-	1-	1-	1-	1-	1-
	4th >>	8	9	10	11	12	13	14
Max permitted density (DU per lot) through Supplemental Requirements [See Section 131.0464(a)] [No change in text.]	[No change in text.]							
Bedroom Bedroom regulation [See Section 131.0457]	applies ⁽⁷⁾							
Refuse and Recyclable Material Storage [See Section 142.0805] through Visibility Area [See Section	[No change in text.]							

113.0273] [No change in text.]	
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Footnotes for Table 131-04D¹ through ⁶ [No change in text.]⁷ On lots less than 10,000 square feet a single dwelling unit shall be limited to 6 bedrooms maximum.

(c) through (e) [No change in text.]

§131.0447 Maximum Paving and Hardscape in Residential RS Zones

Paving and *hardscape* on *single dwelling unit* lots lots located in the RS zones shall be minimized as follows:

- (a) [No change in text.]
- (b) Within the required *street yard*, paving and *hardscape* shall be limited to:
 - (1) A driveway with direct vehicular access to required *off-street parking spaces* located outside of the required *setback* in accordance with ~~s~~Section 142.0521~~;~~_;
 - (2) A walkway to facilitate pedestrian access to the *dwelling unit*~~;~~_; and
 - (3) [No change in text.]
- (c) In order to maintain the character of the RS zone, paving and *hardscape* for vehicular use ~~on lots less than 10,000 square feet,~~ shall be further limited to as follows:
 - (1) ~~off-street, surface parking for a~~ A maximum of 4 ~~four~~ vehicles. *off-street parking spaces* not located within a garage shall be permitted on *lots* less than 10,000 square feet;
 - (2) A maximum of six *off-street parking spaces* not located within a garage shall be permitted on *lots* 10,000 square feet and greater;
 - (3) Additional paving and *hardscape* shall be permitted for non-vehicular use or where necessary to provide vehicular access to garage parking~~;~~_;
 - (4) For purposes of this subsection, notwithstanding Section 113.0237, unless *development* only occurs on the RS-1-1 zoned portion of a *lot*, the *lot* size shall not include the RS-1-1 zoned portion of a *lot* with more than one zoning designation.

§131.0457 Bedroom Regulation in RS Zones

To maintain the character of the RS zone, *single dwelling units* in the RS zones shall be subject to the following regulations:

- (a) On *lots* less than 10,000 square feet, a *single dwelling unit* shall be limited to a maximum of six *bedrooms*.
- (b) Within the College Area Community Plan area, except in the RS-1-1 zone, the following additional regulations shall apply:
 - (1) On *lots* less than 10,000 square feet, a *single dwelling unit* shall be limited to a maximum of five *bedrooms*.
 - (2) On *lots* 10,000 square feet or greater, a *single dwelling unit* shall be limited to a maximum of six *bedrooms*.

- (3) The combined gross floor area of all bedrooms shall not exceed 60 percent of the gross floor area, excluding any garage.
- (c) For purposes of this Section, notwithstanding Section 113.0237, unless development only occurs on the RS-1-1 zoned portion of a lot, the lot size shall not include the RS-1-1 zoned portion of a lot with more than one zoning designation.

§142.0510 General Parking Regulations

- (a) through (d) [No change in text.]
- (e) Parking in Required Yards. Parking in required yards is subject to the following regulations:
 - (1) Off-street parking spaces shall not be located in any required front or street side yard except as otherwise provided in the particular zone or by Section 142.0510(f).
 - (2) No vehicle shall be parked in any required front or street side yard except where permitted by a particular zone, or except as provided below:
 - (A) through (B) [No change in text.]
- (f) In RS zones, the required parking may be provided on a driveway or paved surface within the front or ~~street-side~~ street side yard on premises where required parking was converted to habitable space prior to January 1, 1992, subject to the following requirements:
 - (1) through (4) [No change in text.]
- (g) [No change in text.]

§142.0520 Single Dwelling Unit Residential Uses — Required Parking Ratios

The required number of *off-street parking spaces* for *single dwelling units* and related uses are shown in Table 142-05B.

Table 142-05B

Minimum Required Parking Spaces for Single Dwelling Units and Related Uses

Type of Unit and Related Uses	Number of Required Parking Spaces
All <i>single dwelling units</i> , except those with five or more <i>bedrooms</i> in campus impact areas (See Chapter 13, Article 2, Division 8)	2 spaces per dwelling unit <u>dwelling unit</u> ⁽¹⁾
<i>Single dwelling units</i> with five or more <i>bedrooms</i> in campus impact areas (See Chapter 13, Article 2, Division 8)	1 space per <i>bedroom</i> (previously conforming <u>previously conforming</u> parking regulations in Section 142.0510(d) do not apply) ⁽²⁾
High occupancy <u>Single dwelling units that have an occupancy that would consist of 6 or more persons eighteen years of age and older residing in the dwelling unit for a period of 30 or more consecutive days, subject to Section 123.0502</u> ⁽³⁾	1 space per occupant eighteen years of age and older, less one <u>1</u> space (<u>previously conforming</u> parking regulations in Section 142.0510-(d) do not apply) ^{(4),(5)}

Footnotes for Table 142-05B

¹ through ² [No change in text.]

³ Housing for senior citizens, residential care facilities, and transitional housing facilities in a *single dwelling unit* are not subject to this parking regulation, but are otherwise subject to all other parking regulations.

⁴ This requirement may be reduced if evidence is provided to the satisfaction of the City Manager that an occupant eighteen years of age and older does not have a vehicle or does not have a valid driver's license, in which case, the required number of *off-street parking spaces* shall be one space per occupant eighteen years of age and older with a valid driver's license and a vehicle, less one space.

⁵ In the case of a conflict between this requirement and the requirements set forth in the Parking Impact Overlay Zone, the higher of the applicable *off-street parking space* requirements shall apply.

§142.0521 Parking Site Design for Single Dwelling Unit Residential Uses

Parking facilities for *single dwelling unit residential* uses shall be designed in accordance with the following:

(a) through (e) [No change in text.]

(f) The minimum distance between an ~~parking space~~ *off-street parking space* and a sidewalk or curb opening shall comply with Diagram 142-05A.

(g) Within the College Area Community Plan area, except in the RS-1-1 zone, notwithstanding Section 142.0510(f), when a required *off-street parking space* is not located in a garage, it shall not be located within 30 feet of the front *property line*.

Diagram 142-05A

**Minimum Distance Between an Off-Street Parking Space
and a Sidewalk or Curb Opening**

[No change to diagram.]

HKV:nja

10/03/16

Or.Dept: Council District 9

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